

CITY OF SAN BRUNO



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STAFF

Tom Williams
Community Development Director
Grant Wilson, AICP, *Associate Planner*
Aaron Akin, AICP, *Associate Planner*
Pamela Thompson, *City Attorney*
Tanya Benedik, *Recording Secretary*

PLANNING COMMISSIONERS

Perry Petersen, *Chair*
Joe Sammut, *Vice-Chair*
Mary Lou Johnson
Bob Marshall Jr.
Robert Schindler
Mark Tobin
Kevin Chase

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING COMMISSION MINUTES

January 20, 2004
San Bruno Senior Center
1515 Crystal Springs Blvd.
7:00 P.M. to 10:30 P.M.

CALL TO ORDER at 7:00 p.m.

ROLL CALL

| | <u>Present</u> | <u>Absent</u> |
|------------------------|----------------|---------------|
| Chair Petersen | x | |
| Vice Chair Sammut | x | |
| Commissioner Johnson | x | |
| Commissioner Marshall | x | |
| Commissioner Schindler | x | |
| Commissioner Chase | x | |
| Commissioner Tobin | x | |

STAFF PRESENT:

Planning Division: **Tom Williams**, Community Development Director
Grant Wilson, Associate Planner
Aaron Akin, Associate Planner
Tanya Benedik, Secretary

City Attorney's Office: **Pamela Thompson**, City Attorney

Pledge of Allegiance **Commissioner Tobin**

- Approval of Minutes** November 2003 **Motion Tobin /Second Schindler**
December 2003 **Motion Tobin /Second Schindler**
- Communication N/A
- Public Comment N/A

4. 424 Acacia Avenue

Request for a Use Permit to allow construction of a garage which would exceed the .55 FAR guideline; per Section 12.200.030.B.1 of the San Bruno Municipal Code. Goike Construction (applicant/designer), **Richard Cordray** (owner). **UP-03-45**

Associate Planner Aknin entered staff report. Staff recommends that the Planning Commission **approve** Use Permit 03-45 based on Findings of Fact (1-8) and Conditions of Approval (1-17).

Public Hearing Opened

Agent for the property owner was present. **Commissioner Schindler** asked if they agreed with the conditions of approval. **Commissioner Marshall** asked how the existing garage would be finished. Applicant stated that it would be brick to match the existing look. **Associate Planner Aknin** also let the Planning Commission know that there is a condition of approval that the matching facade be approved by the Community Development Director, as well as the landscaping plan at time of the building permit is issued.

Public Hearing Closed

Motion Johnson /Second Schindler approve Use Permit 03-45 based on Findings of Fact (1-8) and Conditions of Approval (1-17).

| | |
|----------|-------|
| VOTE: | 7-0-0 |
| AYES: | 7 |
| NOES: | 0 |
| ABSTAIN: | 0 |

(Chair Petersen advised of 10-day appeal period.)

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Francisco Examiner (San Bruno Edition), Saturday, January 10, 2004, and notices were mailed to property owners within 300 feet of the project site on January 9, 2003.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorical Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.

6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. The off-street parking will be adequate for the residence.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 03-45 shall not be valid for any purpose. Use Permit 03-45 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The request for a Use Permit an addition to an existing dwelling shall be built according to plans approved by the Planning Commission on January 20, 2003, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
6. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
7. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
8. All exterior materials and roofing materials shall match, and shall be consistent with colors submitted to the Planning Commission.

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9. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
10. An encroachment permit is required if any work is done in the public right of way.
11. No fence or retaining wall shall be built within 5.5' from the back of the sidewalk.
12. Replace all broken and raised concrete in sidewalk and driveway approach.
13. Applicant shall replace existing curb cut.
14. Applicant shall submit a landscaping plan as part of the building department submittal for the existing driveway area. This landscaping shall be installed prior to final Building Department approval.
15. The applicant must obtain permits and approvals for the converted garage area and all other work previously done with out permits.
16. The original garage door shall be removed and replaced with a matching facade material to the satisfaction of the Community Development Director.
17. If the applicant does not apply for a building permit within a one-year period, and/ or does not build the proposed garage within a reasonable time period, the original garage area shall be converted back into a useable garage area to the satisfaction of the Community Development Director.

5. **1961 Donner Avenue**

Request for a Use Permit & Variance for an addition, which proposes a garage greater than 600 square feet and proposes a 5' rear yard setback, per Section 12.200.080.B, 12.96.060.D.6, and 12.124.010 of the San Bruno Municipal Code. UP-03-47, VA-03-04 **Bob George** (applicant), **Tom Piana** (owner)

Associate Planner Aknin entered staff report. Staff recommends that the Planning Commission **approve** Use Permit 03-47 & Variance 03-04 based on Findings of Fact (1-10) and Conditions of Approval (1-13).

Public Hearing Opened

Applicant and architect **Mr. George** and owner **Mr. Piana** was present to answer questions. **Mr. George** stated that he is agreeable with the conditions of approval. **Commissioner Schindler** asked **Mr. George** what type of noise would be generated from the additional garage space. A neighbor told him that the owner of this home restores old cars for show. **Mr. George** stated that his client does not intend to do any mechanical work on these vehicles. It is to keep them clean, there will be a lift installed so that they can be cleaned underneath also. The cars are strictly show vehicles. **Commissioner Schindler** also asked about a trailer that is outside the home. He received a call from a neighbor in regards to that, and wanted input from staff on the matter. **Community Development Director Williams** stated that there is a 72-hour parking limit on the street. **Commissioner Johnson** asked how frequently these cars will be washed, and how many cars will be stored at this residence. Owner **Mr. Piana** replied to the Commission that the number of cars that will be stored at his residence would be no more than

3 at a time. He explained that these cars are strictly show cars and they are never washed. They are only waxed and cleaned. They never touch water. He also said that the trailer is never in front of the home more than 2 days. Owner also said that there is no open exhaust on these cars, so the noise level is minimal.

City Attorney Thompson brought up to the commission the legal viewpoint of this variance. She went over what the legal definition is of a variance in San Bruno. She explained that this owner would be able to do an addition without going into his setback, which is why he is applying for a variance. No one has a special right to have a 3rd garage. **Associate Planner Akin** stated that his reasoning in recommending approval for this project is that the other homes on Donner have a 5ft setback on the left side, so this would be consistent with those homes. If the front of this home were the same as the front of the other homes on Donner, this project wouldn't require a variance. **Commissioner Schindler** stated that one of the benefits of allowing a 3rd garage is then the owner could use the garage for his personal vehicle. **Commissioner Tobin** stated that because of the lack of parking on Donner, he is in favor to take extra vehicles off the street.

Public Hearing Closed

Commissioner Johnson wanted to add that this garage not be used for mechanical work, or industrial type washing. **Vice Chair Sammut** disagreed. He feels that someone's garage should be allowed to work on cars, and wash cars. He doesn't understand why they would limit this addition to someone to work on their car or even wash his car. **Commissioner Johnson** stated that her intent was so that the owners not create an auto shop type of environment. **Associate Planner Akin** stated that he would add a condition of approval that states that the applicant is to comply with all NPDS standards for car washing. **City Attorney Thompson** suggested adding a condition that prohibits any commercial activity at this site.

Motion Schindler/Second Marshall to approve Use Permit 03-47 & Variance 03-04 based on Findings of Fact (1-10) and Conditions of Approval (1-14). #14 stating that there will be no commercial activity performed at this site.

VOTE: 6-0-1
AYES: 6
NOES: 0
ABSTAIN: 1 (Chase)

(Chair Petersen advised of 10-day appeal period.)

Findings for Approval

Findings for Variance Approval:

1. That because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of this article will deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.
2. That the variance granted should be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is located.

Findings for Use Permit Approval

3. Proper notice of the public hearing was given by legal notice published in the San Francisco Examiner (San Bruno Edition), Saturday, January 10, 2004, and notices were mailed to property owners within 300 feet of the project site on January 9, 2003.
4. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
5. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
6. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
7. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
8. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
9. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
10. The off-street parking will be adequate for the residence.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 03-47 & VA 03-04 shall not be valid for any purpose. Use Permit 03-47 and Variance 03-04 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The request for a Use Permit an addition to an existing dwelling shall be built according to plans approved by the Planning Commission on January 20, 2003, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
6. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to

this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

7. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
8. All exterior materials and roofing materials shall match, and shall be consistent with colors submitted to the Planning Commission.

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9. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
10. An encroachment permit is required if any work is done in the public right of way.
11. No fence or retaining wall shall be built within 5.5' from the back of the sidewalk.
12. Applicant shall replace existing curb cut as shown in the plans.
13. Applicant shall submit a landscaping plan as part of the building department submittal for the existing driveway area. This landscaping shall be installed prior to final Building Department approval.
14. There will be no commercial activity performed at this site.

6. 1520 Claremont Drive

Request for a Use Permit to allow construction of an addition which proposes a greater than 50% expansion to the existing floor area; per Section 12.200.030.B.2 of the San Bruno Municipal Code. UP-03-48, **Robert Medan** (applicant/architect), **Mark & Janell Lillie** (owners) UP-03-48

Associate Planner Aknin entered staff report. Staff recommends that the Planning Commission approve Use Permit 03-48 based on Findings of Fact (1-8) and Conditions of Approval (1-12).

Applicant and owner **Mr. Lillie** was present to answer questions. **Commissioner Chase** asked **Mr. Lillie** if he agreed with the conditions of approval. **Mr. Lillie** replied that he did. Applicant provided a color palate to the commission for the proposed colors of their home.

Public Hearing Opened

N/A

Public Hearing Closed

Motion Marshall/Second Chase to approve Use Permit 03-48 based on Findings of Fact (1-8) and Conditions of Approval (1-12).

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|----------|-------|
| VOTE: | 7-0-0 |
| AYES: | 7 |
| NOES: | 0 |
| ABSTAIN: | 0 |

(Chair Petersen advised of 10-day appeal period)

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Francisco Examiner (San Bruno Edition), Saturday, January 10, 2004, and notices were mailed to property owners within 300 feet of the project site on January 9, 2003.

2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. The off-street parking will be adequate for the residence.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 03-48 shall not be valid for any purpose. Use Permit 03-48 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The request for a Use Permit an addition to an existing dwelling shall be built according to plans approved by the Planning Commission on January 20, 2003, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.

4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
6. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
7. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
8. All exterior materials and roofing materials shall match, and shall be consistent with colors submitted to the Planning Commission.

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9. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
10. An encroachment permit is required if any work is done in the public right of way.
11. No fence or retaining wall shall be built within 5.5' from the back of the sidewalk.
12. Replace all broken and raised concrete in sidewalk and driveway approach.

7. 1411 Crestwood Drive

Request for a Use Permit to allow construction of an addition which proposes a greater than 50% expansion to the existing floor area; per Section 12.200.030.B.2 of the San Bruno Municipal Code. **Vipul Adiecha** (applicant/designer), **Philip Alexander** (owners). **UP-03-49**

Associate Planner Akin entered staff report. Staff recommends that the Planning Commission **approve** Use Permit 03-49 based on Findings of Fact (1-8) and Conditions of Approval (1-16).

Applicant **Mr. Adiecha** was present to answer questions. **Commissioner Schindler** commended the applicant on the addition.

Public Hearing Opened

N/A

Public Hearing Closed

Motion Johnson /Second Chase to approve Use Permit 03-49 based on Findings of Fact (1-8) and Conditions of Approval (1-16).

VOTE: 7-0-0
AYES: 7
NOES: 0
ABSTAIN: 0

(Chair Petersen advised of 10-day appeal period)

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Francisco Examiner (San Bruno Edition), Saturday, January 10, 2004, and notices were mailed to property owners within 300 feet of the project site on January 9, 2003.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. The off-street parking will be adequate for the residence.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 03-49 shall not be valid for any purpose. Use Permit 03-49 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.

2. The request for a Use Permit an addition to an existing dwelling shall be built according to plans approved by the Planning Commission on January 20, 2003, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
6. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
7. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
8. All exterior materials and roofing materials shall match, and shall be consistent with colors submitted to the Planning Commission.
9. Over three toilets require a 4" drain line through the house with connection to street line.

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10. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
11. An encroachment permit is required if any work is done in the public right of way.
12. No fence or retaining wall shall be built within 4.5' from the back of the sidewalk.
13. Install a sanitary sewer lateral clean out per City standards.
14. The applicant shall obtain permits for all work previously done with out permits. This includes, but is not limited to, the two bedrooms downstairs.
15. The applicant shall remove the bathroom that currently encroaches into the garage area.

16. If the applicant does not apply for a building permit within a one-year period, the bathroom in the garage shall be removed, and the applicant shall convert area behind the garage back into a storage area within a reasonable time period to the satisfaction of the Community Development Director.

8. 1100 El Camino Real

Request for a conditional use permit to allow installation of a wireless communications facility at the BART station parking facility per Chapter 12.112 of the San Bruno Zoning Ordinance – AT&T Wireless, applicant; BART, property owner.

Associate Planner Akin entered staff report. Staff recommends that the Planning Commission **approve** Use Permit 03-50 based on Findings of Fact (1-8) and Conditions of Approval (1-10).

Applicant **Mr. Yu**, from AT&T, was present to answer any questions. He gave a brief description of this project. **Commissioner Tobin** asked if the wiring would be on the outside of the building. Applicant stated that it would.

Public Hearing Opened

Ms. Norma Elias asked if any other BART stations were asked to have a cell site put there, or if San Bruno was the only City that had this request. **Mr. Yu** from AT&T replied that there are other BART stations that have wireless carriers there. **Community Development Director Williams** explained to the commission what a city could recommend to a wireless facility, and also the priority of locations. He stated that typically a public facility, such as a BART parking garage, are at the top of the list for these types of sites. This is a much better location than having a cell site in a residential location. **Commissioner Marshall** asked staff if condition of approval #7 could be reworded to state “applicant and/or property owner”, and #8 to state “no advertising signs”.

Public Hearing Closed

Motion Tobin /Second Chace approve Use Permit 03-50 based on Findings of Fact (1-8) and Conditions of Approval (1-9).

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| VOTE: | 7-0-0 |
| AYES: | 7 |
| NOES: | 0 |
| ABSTAIN: | 0 |

(Chair Petersen advised of 10-day appeal period)

FINDINGS OF FACT

1. Proper notice of the public hearing was given by legal notice published in the San Mateo Times on January 10, 2004 and notice mailed to property owners within 300 feet of the project site on January 9, 2004.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.

3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commissions' final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The planned development permit to install a telecommunications facility at 197 El Camino Real will not be injurious or detrimental to properties and improvements in the neighborhood or to the general welfare of the city because the equipment is minimal in size and virtually indistinguishable from the existing construction at the site and there are no discernable health risks associated with this type of technology.
5. The general appearances of the antennae are in keeping with the character of the area and will not be detrimental to the adjacent real property.
6. The proposed cell site will not unreasonably restrict or interfere with light and air on the property and other properties in the vicinity, will not hinder or discourage the appropriate development and use of surrounding land and buildings, nor impair the value thereof, and is consistent with the design and scale of existing structures. The antennae should not have any impact on light and air to adjacent properties.
7. The construction of the antennae is consistent with the San Bruno General Plan, which allows for accessory structures.
8. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 11, Section 15311: Construction of minor structures accessory to existing commercial facilities.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary of Hearing" to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed the Use Permit (UP-03-50) shall not be valid for any purpose. The use permit expires one (1) year from the date of Planning Commission approval unless the applicant has installed the wireless communications facility.
2. The proposed installation of a wireless communications facility at the BART parking structure shall be built according to the plans approved by the Planning Commission on January 20, 2004 except as required to be modified by these conditions of approval. Any modification to the approved plans shall require prior review and approval by the Community Development Director.
3. The antennas and facility shall be installed and painted according to the photo simulations presented in the staff report.
4. The applicant must obtain all necessary BART approvals before construction can proceed.
5. All pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City. Applicant shall schedule an appointment with the Planning

Division for final approval when the installation of the wireless communications facility is complete.

6. All graffiti shall be removed within 24 hours of reporting.
7. Should this facility cease to operate for a period of six months, the applicant and/or property owner shall remove all appurtenant structures.
8. No advertising signs shall be placed on or attached to the antennae and electronic equipment box.
9. Provide one 2A10BC fire extinguisher on site during construction.

9. 128 Santa Clara Avenue

Request for a Use Permit & Parking to allow construction of an addition which proposes a greater than 50% expansion to the existing floor area, and proposes tandem parking; per Section 12.200.030.B.1, & 12.200.080.C of the San Bruno Municipal Code – **Peter Lam** (applicant/architect), **Tung Sing Wong** (owner).

Associate Planner Wilson entered staff report. Staff recommends that the Planning Commission **approve** Use Permit 03-51 and Parking Exception 03-06 based on Findings of Fact (1-8) and Conditions of Approval (1-13).

Commissioner Marshall felt that a 35 ft garage should not be considered as a 2-car garage, but as an oversized one-car garage. **Associate Planner Wilson** stated that with the size of the proposed home, that would not be enough parking. **Commissioner Chase** asked that if something could be noted in findings of fact or conditions of approval stating that it is not truly a 2-car garage, or a single car garage. **Commissioner Schindler** recommended that a condition be added to state that a garage shall be made to fit 2 cars prior to the addition. **City Attorney Thompson** stated that if the condition were left vague as suggested, it would make it difficult to enforce any issues down the line. It should be factually correct. **Community Development Director Williams** stated that the code requirement for a tandem garage is 40 linear feet. Being that this garage is proposed to be 35 feet, it would be considered as a substandard garage. The commission has the authority to make an exception.

Public Hearing Opened

Applicant and Architect **Mr. Lam** was present to answer any questions. He explained the situation in regards to the 35-foot garage that is proposed. He stated that there is actually room for 4 cars, with the assumption that one of the cars is a small car. **Commissioner Schindler** asked the Architect if the garage has been cleared out. **Mr. Lam** stated that once the addition has been completed they would have more space to put the items from the garage into. **Commissioner Schindler** expressed his concern that the garage would actually get cleared out. Architect **Mr. Lam** assured the commission that he would be sure that it would be cleared. **Commissioner Johnson** asked about the width of the garage, and if it would be wide enough to also accommodate the washer and dryer. **Community Development Director Williams** stated that that should be sufficient, that the width is a standard width of a garage. **Mr. Lam** asked if the commission would approve this application with the condition that the garage be extend an extra 5 feet to make it a standard tandem garage, towards the back yard. **Chair Petersen** asked **Community Development Director Williams** if Staff could review the plans once they are brought into the department for building, to ensure that the 5 extra feet are added

to the garage. **Community Development Director Williams** stated that they would, and if the 5 extra feet were not added, they would bring it back to the Planning Commission.

Public Hearing Closed

Motion Chase /Second Johnson to **approve** Use Permit 03-51 and Parking Exception 03-06 based on Findings of Fact (1-8) and Conditions of Approval (1-14). #14 that applicant shall add 5 feet to the depth of the garage subject to the approval of staff.

| | |
|----------|-------|
| VOTE: | 5-2-0 |
| AYES: | 5 |
| NOES: | 2 |
| ABSTAIN: | 0 |

(Chair Petersen advised of 10-day appeal period)

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Francisco Examiner (San Bruno Edition), Saturday, January 10, 2004, and notices were mailed to property owners within 300 feet of the project site on January 9, 2004.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. The off-street parking will be adequate for the residence.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 03-51 and Parking Exception 03-06 shall not be valid for any purpose. Use Permit 03-51 and Parking Exception 03-06 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The request for a Use Permit to add to an existing dwelling shall be built according to plans approved by the Planning Commission on January 20, 2004, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
6. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
7. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
8. All exterior materials and roofing materials shall match, and shall be consistent with colors submitted to the Planning Commission.
9. Over three toilets would require a 4" drain line through the house with connection to street line.

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10. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
11. An encroachment permit is required if any work is done in the public right of way.
12. No fence or retaining wall shall be built within the public right-of-way behind the sidewalk.

13. Install a sanitary sewer lateral clean out per City standards.

14. Applicant shall add 5 feet to the depth of the garage subject to the approval of staff.

10. Staff Discussion

February Arch Review:

Commissioner Tobin
Commissioner Schindler
Vice Chair Sammut

11. Planning Commission Discussion

Chair Petersen welcomed **Community Development Director Williams** as the new City Director. **Commissioner Johnson** commended staff on the packets. **Commissioner Schindler** asked staff about the status on the Church at 599 Cedar Avenue. **City Attorney Thompson** replied on behalf of staff that there is an application pending with the city, but it would not be appropriate to comment on it at this time. **Commissioner Schindler** also asked about the renovation and remodel of Tanforan. **City Attorney Thompson** replied that it was her impression that financing would close the following week, which has been the hold up.

Tom Williams,
Secretary to the Planning Commission
City of San Bruno

Perry Petersen, Chairperson
Planning Commission
City of San Bruno

NEXT MEETING: February 17, 2004

TCW/tb

Adjourned at: 9:00 p.m.